

**Maricopa County Adult Probation
Victim Services Unit**

Contact Information

**Maricopa County Adult Probation Department
Victim Services Unit**

111 S 3rd Avenue, 3rd Floor

Phoenix, Arizona 85003

Phone: 602-372-8286

Toll Free: 1-866-372-8286

Fax: 602-506-5952

Email: vsu@apd.maricopa.gov

Website: <https://www.maricopacounty.gov/adultpro/services/services.asp>

Our Mission

The mission of the Maricopa County Adult Probation Victim Services Unit is to provide assistance to victims of crime, the community, and the court family, in a respectful, professional, and timely manner. We accomplish our mission through:

- Victim & Restitution advocacy
- Training
- Referrals to other agencies
- Information about probation and the court
- Outreach services
- Collaborative efforts

Program was created in 1998. Our focus is victim and restitution advocacy and Victims' Rights. We will assist with court accompaniment to probation violation, domestic violence review, and restitution hearings. We assist victims' with restitution, probation information, Victim compensation applications and protective orders. VSU provides referrals, outreach materials, and training to APD personnel, court family, and the community.

***To schedule a speaker on victim services for your organization, please contact the
Victim Services
Unit at 602-372-8286.***

Victims' Rights for Post Conviction

After the defendant has been sentenced to probation, the victim can opt in for the following Post Conviction rights:



- Any proposed modifications regarding restitution, incarceration, and/or if the modification will affect a victim's safety
- Termination proceedings
- Revocation proceedings
- Restitution that is two full months in arrears
- Arrests made pursuant to a warrant issued for a probation violation

In order to invoke these rights the victim must complete and mail in a Post - Conviction Notification Request Form. The victim has to contact the Intake Advocate of the County Attorney Victim Services Division at 602 -506 -8522. If the case was charged with the Attorney General Office, the victim may contact the Attorney General Victim Services Division at 602 -542 -4911.



Arizona Law states a "Victim" means a person against whom the criminal offense has been committed, or if the person is killed or incapacitated, the person's immediate family or other lawful representative, except if the person is in custody for an offense or is the accused. (A.R.S. §13-4401.19) Victims' Rights of any corporation, partnership, association, or other similar legal entity shall be limited as provided by statute. A business or neighborhood association has limited rights. A representative from any legal entity or corporation can be kept informed of sentencing date and request restitution. Businesses cannot opt in for Victims' Rights.

If you are in question if a victim has opted in for post conviction, please contact the Victim Services Unit at the numbers above.

Restitution

The definition of restitution is, “an act of restoring.” It is the restoration of anything to its rightful owner. It is the act of giving or making well on an equivalent to any loss, damage, or injury.

After the court determines the amount of restitution, a payment will be set up if the defendant cannot pay the lump sum. Restitution is non dischargeable through bankruptcy. (A.R.S. §13-603) Arizona law states victims’ have the right to request restitution and receive prompt payment. (A.R.S. §13-804) Restitution for Offense Causing Economic Loss). In most cases, the victim or company will speak to the pre sentence investigator for his or her request for restitution. If there is an objection to the amount requested or if the court/probation department were unable to determine an amount, the court may keep restitution open or set a date for a restitution hearing. Restitution is not automatically ordered when a defendant signs a plea agreement with the County Attorney. **FOR RESTITUTION TO BE VALID, IT MUST BE ORDERED BY A JUDGE AND CONTAINED ON A COURT MINUTE ENTRY.**

Case law (particularly FDIC v. Colosi 194 Ariz. 114, 977 P.2d 836), gives the probation department jurisdiction to request a restitution hearing for the period of the probation term.

If the defendant is sentenced to the Department of Corrections, the County Attorney has jurisdiction to request a restitution hearing. If restitution is not ordered and there is no other court stipulation to keep restitution open, the County Attorney can lose jurisdiction. Under Rule 24.3, Modification of Sentence, the County Attorney has 60 days to file an illegal lenient sentence to include restitution. If the County Attorney fails to do this, the victim may not ask for restitution at a later date. If the defendant is released from probation or parole, jurisdiction no longer exists for the court to order restitution. The only remedy for the victim in both these scenarios is to file a civil claim against the defendant. For more information about jurisdiction, you may contact APD Victim Services Unit.

If a victim wants restitution and it has not been ordered through the court, it is very important a victim makes the request in a timely manner.

Restitution Liens

In Arizona, restitution liens are available to all victims of crime who have been awarded restitution by a Judge.

There are two types of liens:

- 1. Liens in which a victim may file** on their own (A.R.S. §13-806); OR
- 2. Criminal Restitution Orders** which the court files (A.R.S. §13-805).

Both are civil judgments and can be filed against a defendant's property or future property, such as home or land, and against currently owned vehicle, such as a car, truck, boat, ATV, etc.

A victim can file a lien once a Judge orders restitution. The victim becomes the lien holder and is responsible for releasing the lien once the restitution is paid in full. A victim wishing to file their own lien will have to provide the Victim Services Unit with the last known address and date of birth of the defendant and a description and address of the property. For more information about property, victims can access the recorders office via Internet at www.recorder.maricopa.gov. VSU can assist with Motor Vehicle record's, obtain certified copies of the Minute Entries, and a Judges signature. For more information on guides and sample forms, contact APD Victim Services Unit at the numbers above.

The Criminal Restitution Order is filed only upon absolute release from the Department of Corrections (parole finished) or upon release of probation. It is not only against property listed above, but once filed, the County Collection Unit can intercept Arizona Income Tax Refunds, lottery winnings, excess from trustee sales, and civil judgment awards. The County Collection Unit may not allow defendants to register their vehicles as well. The unit will also continue to report the lien to all major credit bureaus. After 120 days, the County Collection Unit will outsource a portion of the order to private collectors and eventually garnish wages.

Victim Compensation

If you have been the victim of a crime in Maricopa County, you may be eligible for Victim Compensation to assist you with financial expenses that you may have incurred. In Arizona, fees paid by convicted felons fund Victim Compensation. The state, through local boards, disburses compensation to eligible victims of crime. Eligible crimes include:

Compensation you can apply for:

1. Lost wages due to related injuries and/or attending court proceedings.
2. Medical expenses, including co pays and mileage to health appointments
3. Funeral expenses
4. Counseling costs

You may be eligible if you meet the following criteria:

1. Victimized in Maricopa County
2. Report the crime to a police agency within 72 hours

3. Willing to cooperate with law enforcement agencies
4. Incur economic loss for the expenses listed above
5. Suffer physical injury, extreme mental distress or the death of a family member as a direct result of the crime
6. File an application with Victim Compensation Bureau within two years of the date of the crime

Compensation will not cover:

1. Property loss or damage
2. Pain and suffering
3. Attorney fees
4. Expenses that would benefit an offender
5. A person serving a term of incarceration, including home arrest or work furlough

A victim may still apply for victim compensation, even if restitution is pending or already ordered. If it is determined that part of the expenses were ordered in restitution and paid by Victim Compensation, Victim Compensation can make a restitution claim against the defendant. **For more information: call 602-506-4955 (Maricopa) or 1-800-FYI-CALL (information on victim compensation programs in other areas). Maricopa County Attorney website: www.maricopacountyattorney.org/VWServices**

FAQ's—Restitution (link)

FAQ's—General (link)

Valuable Resources

Agency	Phone Number	Web Address
Adult Protective Services	877-767-2385	www.azdex.gov/aaa/apsciu/default.asp
Adult Protective Services-local	602-428-7702	
Alliance for Justice		www.afj.org
Amberly's Place (Yuma, AZ)	928-373-0849	
American Probation and Parole Assoc	859-244-8203	www.appa-net.org
Area Agency on Aging	602-264-4357/602-264-2255	www.aaaphx.org
AZ Coalition Against DV	602-279-2900	www.azcadv.org

Arizona Coalition For Victim Services		www.azcvs.net
Arizona Crime Victims		www.dps.state.az.us
Arizona Governor's office		www.governor.state.az.us
Arizona Humane Society		www.azhumanesociety.org
Arizona Law Help		www.azlawhelp.org
Arizona Legislature		www.azleg.state.az.us
Arizona Sexual Assault Network		www.azsan.com
Arizona State registered sex offenders		www.azsexoffenders.com
ARS Codes		www.azleg.state.az.us
Attorney General	602-542-8309	www.attorneygeneral.state.az.us
AZ Department of Corrections	602-542-5536	www.adc.state.az.us
Bureau of Justice Statistics		www.ojp.usdoj.gov
Cavnet (Various services available)		www.cavnet2.org
Center Against Family Violence (Mesa)	480-644-4075	www.ci.mesa.az.us/police/cafv/default.asp
Center Against Sexual Assault	602-254-9000/602-254-6400/800-400-1001	
Child Abuse Prevention		http://child-abuse.com
Child Help	602-271-4500/800-4-A-CHILD	www.childhelpusa.org
Childrens Bureau		www.acf.dhhs.gov
Community Referral	800-799-7739	www.cirs.org
Court Minute Entries		www.courtminutes.maricopa.gov
Crime Victims Legal Assistance Project	480-965-5640	www.azvictims.org
Department of Health Services		www.hs.state.az.us
Domestic Violence		www.ilj.org/dv
Empact Suicide Prevention	602-254-1500	
Empact-Sexual Assault Services	480-736-4949	www.empact-spc.com
End Stalking in America	602-686-0600	www.esia.net
Face to Face	800-842-4546	
Family Advocacy Center (Phoenix)	602-534-2120 or 888-246-0303	
Federal Trade Commission Hotline	877-438-4338	www.consumer.gov
Fresh Start Women's Foundation	602-252-8494/602-261-7143	www.fswf.org
Give Back a Smile	800-773-4227	
HAVEN (Lake Havasu, AZ)	928-505-3153	
Hope Center (counseling)	480-610-6996	
Interfaith (counseling)	480-969-2783	

Justice Courts		www.maricopa.gov/justicecourts/precincts.asp
Keeping the Peace	602-673-8311	www.keepingthepeace.org
Legal Encyclopaedia		www.lectlaw.com
Legal Services	602-257-4434 or 602-258-0373	
Maricopa County Adult Probation	602-506-7249	www.maricopa.gov/adultpro.asp
Maricopa County Attorney	602-506-3411	www.maricopacountyattorney.org
Maricopa County Sheriff	602-876-1000 or 602-876-5484	www.mcso.org
Maricopa County Superior Court	602-506-3360	www.superiorcourt.maricopa.gov
Men's Anti-Violence Network		www.themangroup.org
Mothers Against Drunk Driving	1-800-GET-MADD	www.madd.org
Mr. Lockout	623-691-9100	
National Center for Courts		www.ncsonline.org
National Center for Victims of Crime	1-800-394-2255	www.ncvc.org
National Fraud Information Line	800-876-7060	
Natl Center for Alcohol/Drug Info	800-729-6686	
Natl Center for Missing/Exploited Children	800-843-5678	
Natl Center Treatment /Prevention of Child Abuse	480-922-8212 or 1-800-422-4453	
Natl Children's Alliance	800-239-9950	
Natl Coalition Against Domestic Violence	303-839-1852/1-800-799-SAFE	www.ncadv.org
Natl Organization for Victim Assistance	800-TRY-NOVA	
Natl Sexual Violence Resource Center	877-739-3895	
Never Again Foundation	480-539-9111	www.neveragainfoundation.org
Office for Victims of Crime	202-307-5983	www.ojp.usdoj.gov/ovc
Parents Anonymous	800-352-0528	www.parentsanonymous.org
Parents Assistance Hotline	602-542-9580 or 800-732-8193	
Parents of Murdered Children-AZ chapter	602-254-8818/888-818-POMC	www.pomc.org
Prehab		www.prehab.org
Rape, Abuse, Incest National Network		www.rainn.org
S.C.O.R.E.S.	888-892-6702	
Sarah's House (Kingman, AZ)	928-718-5522	
Sexual Assault Network		www.sane-sart.com

Southern AZ Against Sexual Assault		www.sacasa.org
Southern Arizona Children's Advocacy	520-319-5511	
Stalking Questions & Answers		www.criminalsbehindbars.com
Stalking Sanctuary		www.stalkingvictims.com
Survivors of Suicide	480-784-1514	
Victim Compensation	602-506-4955	www.maricopacountyattorney.org
VINE (Victim Info Notification Everyday)	602-876-0322	www.appriss.com/VINE.html
Voice For Victims	480-600-2661	www.voiceforvictims.org
West Valley Advocacy Center	623-930-3720	
Wingspan	520-624-1779	www.wingspan.org
Yavapai Family Advocacy Center	928-775-0669	

